AGRICULTURE AND ANIMAL HUSBANDRY SECRETARIAT

Disciplinary proceedings against Dr. K. Sukhananda Shetty, Assistant Director of Animal Husbandry and Veterinary Services—Dismissal of—regarding.

READ.—

1. G. O. No. AAH 211 VET 74 dated 21st September 1974.
2. G. O. No. AAH 211 VET 74 dated 14th October 1974.
3. G. O. No. AAH 211 VET 74 dated 3rd September 1975
4. Letter No. VCM. 36/74-75 dated 21st June 1976 from the Vigilance Commissioner.
5. O. O. No. AAH 211 VET 74 dated 29th May 1976.
6. Letter No. INB 16/76-77 dated 5th April 1977 from the State Vigilance Commission.
7. Letter No. Con. 102/P. S. C./79-80 dated 4th May 1979 from the Secretary, Karnataka Public Service Commission, Bangalore.

PREAMBLE:—

Dr. K. Sukhananda Shetty, then Assistant Director of Animal Husbandry and Veterinary Services, Regional Poultry Farm, Mangalore, was placed under suspension in the Government Order read at (1) above, on a report from the Director of Animal Husbandry that, many serious irregularities were committed by the officer while working at the Regional Poultry Form, Mangalore. In the Government Order read at (2) above, Government directed an investigation into the case by the State Vigilance Commission. The AGO was re-instated in service on compassionate grounds in the Government Order read at (3) above. In its letter read at (4) above, the Vigilance Commission recommended action under Rule 14-A of the K. C S. (CCA) Rules against the AGO in view of the fact that, two of the allegations referred to it for investigation relate to criminal misappropriation of Government money. Accodingly, Government in its order read at (5) above, directed a regular enquiry into the case against the A. G. O. by the Commission in accordance with rule 14-A of the KCS (CCA) Rules, 1957. In its letter read at (6) above, the State Vigilance Commission has forwarded the records of enquiry to Government and have recommended imposition of the major penalty of dismissal from service on the A. G. O. The Karnataka public Service Commission has conveyed its concurrence to the proposed penalty in its letter read at (7) above.

ORDER No. AAH 192 VET 77 BANGALORE DATED THE 18/19TH MAY 1979

The vigilance Commissioner nominated the Assistant Director of Vigilance (1) as the Inquiry Officer to frame charges and to conduct Inquiry against the A. G. O. The Inquiry Officer has framed the following two charges against the AGO :—

Charge-1 :—

Dr. Sukhananda Shetty while working as Assistant Director of Animal Husbandry & Veterinary Services, Regional Poultry Farm, Managlore, on 8th January 1974 received Rs. 310.71 from Shri Monappa Heggade on account of the cost of one load of poultry manure and failed to take into account the said amount and thus misappropriated the said amount of Rs. 310.71.

Charge-2 :—

Dr. Sukhananda Shetty while working as Assistant Director of Animal Husbandry & Veterinary Services, Regional Poultry Farm at Mangalore, on 25th March 1972 received Rs.1098.62 and on 27th March 1972 received Rs.1098.62 from the Block Development Officer, Puttur towards the sale of pullets and cockerels and that you took into account only Rs. 989.38 on each of the two days and thus you have misappropriated Rs. 109.24 in respect of each bill, the total of which comes to Rs. 218.48.

The statement of imputations of mis-conduct in support of the charges was also communicated to the AGO along with the charges. The substance of imputation of mis-conduct relating to charge No. 1 is one of having mis-appropriated a sum of Rs. 310.71. It is proved and admitted by the AGO that he issued a receipt in the name of one Monappa Hegde for having received from him a sum of Rs. 310.71 being a cost of one load of poultry manure supplied to him. The AGO who signed the the receipt for having received the amount in his capacity as Assistant Director. Animal Husbandry & Veterinary Services was bound to account for the same to his master-the Government. But he has not taken into account the said sum of Rs, 310.71.

The imputation or mis-conduct relating to charge No. 2 is as follows.

On 25th March 1972 and on 27th March 1972 the AGO had sold pullets and cockerels to the Block Development Officer, Puttur and had issued two typewritter cash bills each for Rs. 1098.62 to the said B. D. O. The cash bill dated 26th March 1972 bears the number (68) SBK G2 No. 4051 and the cash bill dated 27th March 1972 bears the number (68) S BK G2 4057. But in the carbon copies of the printed cash bills bearing the above said numbers the AGO had made entries for Rs 989.38 in each bill being the sale proceeds of pullets and cockerels sold to the B. D. O. Puttur and the AGO had taken into account only Rs. 989.38 on 25th March 1972 and Rs. 989.38 on 27th March 1972 in the cash book. The AGO instead of issuing the original

printed cash bills to the B. D. O: Puttur in respect of the above two transactions issued type-written cash bills referred to above with a dishonest intension and that the AGO has misappropriated Rs. 109.24 in respect of the bill dated 25th March 1972 and Rs. 109.24 in respect of the bill dated 27th March 1972. The total amount thus misappropriated come to Rs. 218.48.

With regard to the Articles of charges framed against him, the A. G. O. has put forth the following defence :—

Charge 1 :—

The AGO while denying the charge contended that, there was illwill between himself and Shri A. Kenchappa, Clerk and Shri Sadashivarao, Poultry Assistant and that, he had left the entire office management to the said persons and another person by name Thukkoji Rao and that, he (AGO) was acting as per the suggestions of the said officials and that, the said officials bearing a grudge against him have involved him in this case.

Charge 2:—

In respect of this charge, the AGO contended that, Shri Thukkoji Rao prepared the typed bills in triplicate as per the demand of the Block Development Officer, Puttur, and the said typed bills were got signed by the AGO while he was busily engaged. The AGO further contended that. the original cash bills were got signed by him subsequently. The AGO specifically contended that the money in respect of the said bills was collected by Shri Kenchappa.

The Inquiry Officer conducted the enquiry and after analysing the oral and documentary evidences produced before him, has come to the conclusion that, the charges framed against the AGO are proved for the following reasons :—

Charge 1 :—

(1) The AGO has not denied the allegation made against him.

(2) The Disciplinary Authority has produced necessary evidence to prove the charge.

(3) The AGO has clearly admitted that he had received Rs. 310.71 from Sri Monappa Heggade on account of the cost of one load of poultry manure.

(4) No material is brought out in the cross-examination of PW 1 and PW 2 to show that, they have given false evidence.

(5) The documentry evidence on record and the admissions of the AGO in his statement clearly establish that on 8th January 1974 the AGO received Rs. 310.71 from Sri Monappa Heggade on account of the cost of one load of poultry manure and misappropriated the said amount.

Charge—2 :

(1) The two type-written cash bills dated 25th March 1972 and 27th March 1972 are signed by the A G O. as admitted by him.

(2) PW 3, Sri Suresh Shetty, has positively stated that, he paid the said amounts of Rs. 1098.62 on two occasions (on 25th March 1972 and 27th March 1972) to the A G. O. and that, it was the A. G. O. who gave the cash bills to him This evidence has not been seriously challenged in cross-examination.

(3) The evidence of DW 1 does not help the A. G. O. and that of DW 2 is unreliable.

The Vigilance Commissioner, while forwarding the Report of the Inquiry Officer, has agreed with the Inquiry Officer that Charges 1 and 2 against the AGO are fully substantiated. Having regard to the gravity of the criminal mis-conduct of the AGO disclosed therein the Vigilance Commissioner has recommended to the Disciplinary to authority impose the punishment of dismissal on the A. G. O

Government after careful examination of all the connected records and the report of the Inquiry Officer and the recommendation of the Vigilance Commissioner, have come to the conclusion that, the charges framed against the A. G. O. are proved for the following reasons :—

(1) Both the charges framed against the AGO have been proved beyond doubt during the enquiry.

(2) The AGO has also confessed to the charges.

Government, therefore in exercise of the powers conferred on it under Rule 9 of the K.C.S. (CC&A) Rules 1957, hereby order that, Dr. K. Sukhananda Shetty, Assistant Director of Animal Husbandry & Veterinary Services now working as Assistant Project Officer. Small Farmers Development Agency, North Kanara, Karwar, be and is hereby dismissed from Government Service with immediate effect.

By Order and in the name of the Governor of Karnataka,

V. N. BHAGWAT,

Under Secretary to Government,
Agriculture & Animal Husbandary Department.

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